

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IMPERIAL SUGAR COMPANY,

Plaintiff,

v.

SOUTHERN SYSTEMS, INC.,

Defendant.

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CIVIL ACTION FILE

NO.: 4:11-CV-00970

JURY

(Complaint filed March 16, 2011)

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a), Plaintiff IMPERIAL SUGAR COMPANY and Defendant SOUTHERN SYSTEMS, INC. hereby stipulate to the dismissal of the above-styled action **WITHOUT PREJUDICE**. All parties are to bear their own costs, fees and expenses.

This 28th day of June, 2012.

Respectfully submitted,

WEINBERG, WHEELER, HUDGINS, GUNN & DIAL, LLC

/s/ John T. Flynn

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Counsel for Imperial Sugar Company

THE HAYDEN LAW FIRM

/s/ Ted M. Hayden

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Counsel for Southern Systems, Inc.

CERTIFICATE OF SERVICE

COMES NOW counsel for Plaintiff Imperial Sugar Company and certifies that on June 28, 2012, he served the foregoing ***STIPULATION OF DISMISSAL*** upon counsel of record by filing same with the Court's ECF system:

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This 28th day of June, 2012.

WEINBERG, WHEELER, HUDGINS, GUNN & DIAL, LLC

/s/ John T. Flynn

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